

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHEAL STEVEN NOVAK.

Plaintiff,

V.

JAMES THATCHER,

**Defendant.**

No. 08-5711BHS/JRC

## **ORDER TO SUBMIT SIGNED DOCUMENTS**

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned

Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local

Magistrate Judges' Rules MJR 1, MJR 3, and MJR 4. Before the Court is a motion for an

extension of time to file an amended complaint (Dkt. # 25). The motion is not signed. Also

before the Court is unsigned amended complaint received March 26, 2009 (Dkt # 26)

before the Court is unsigned amended complaint received March 26, 2009 (Dkt # 26).

before the Court is unsigned amended complaint received March 26, 2009 (Dkt. # 28).

In the motion the plaintiff, Mr. Novak, asks for an extension of time to file his amendment.

For more information about the study, please contact Dr. Michael J. Hwang at (319) 356-4000 or email at [mhwang@uiowa.edu](mailto:mhwang@uiowa.edu).

On January 17, 2001, the Board granted leave to file an amicus brief in the following case:

four new defendants (Dkt. # 24). Plaintiff had until March 19, 2009, to file the amended

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complaint. Plaintiff was reminded that he is not proceeding *in forma pauperis* and he had the duty to serve the new defendants.

On March 18, 2009, the unsigned motion for an extension of time was received. The certificate of service is signed by a Mr. Thomas R. Hargrove, an inmate at the Monroe Correctional Complex (Dkt. # 25). Mr. Hargrove is not a party to this action. Mr. Hargrove appears to be preparing pleadings for plaintiff. Plaintiff is housed out of state at the CCA Prairie Correctional Facility in Appelton Minnesota. The reason given for the extension of time is that Mr. Hargrove is doing the legal work for Mr. Novak and mail between the two facilities takes time.

Fed. R. Civ. P. (11) in pertinent part States:

An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party.

Mr. Hargrove cannot sign or submit pleadings for Mr. Novak. Mr. Novak will be given until **April 17, 2009**, to submit a signed motion for an extension of time to file an amended complaint and a signed copy of the amended complaint.

If no signed motion or signed amended complaint are received the Court will proceed with the original scheduling order and the original complaint will become the final complaint in this action.

The clerk's office is directed to send a copy of this order to plaintiff, note the **April 17, 2009**, deadline on the Court calendar and remove the March 19, 2009, deadline for filing an amended complaint from the Court calendar.

DATED this 25, day of March, 2009.

/s/ J. Richard Creatura  
J. Richard Creatura  
United States Magistrate Judge

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